

## **§ 4.40-35**

probable cause of a major marine casualty using the record of the proceedings provided by the Commandant under paragraph (d) of this section, and any additional evidence the Board may acquire under its own authority.

(f) An investigation by the Coast Guard under this section is both an investigation under the Act and under 46 U.S.C. Chapter 63.

[CGD 76-149, 42 FR 61200, Dec. 1, 1977, as amended by CGD 95-028, 62 FR 51195, Sept. 30, 1997; USCG-2004-18884, 69 FR 58341, Sept. 30, 2004]

## **§ 4.40-35 Records of the Coast Guard and the Board.**

(a) Records of the Coast Guard made under § 4.40-30 are available to the public under 49 CFR part 7.

(b) Records of the Board made under §§ 4.40-20 and 4.40-30 are available to the public under 49 CFR part 801.

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